

UNITED STATES DISTRICT COURT  
DISTRICT OF MASSACHUSETTS

UNITED STATES OF AMERICA	)	
	)	
v.	)	
	)	Criminal No. 20-40036-TSH
VINCENT KIEJZO,	)	
	)	
	)	
Defendant	)	
	)	
	)	
	)	

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**REPORT AFTER FINAL STATUS CONFERENCE**  
**PURSUANT TO LOCAL RULE 116.5(c)**

August 11, 2021

Hennessy, M.J.

Defendant is charged in an indictment with one count of Possession of Child Pornography, in violation of 18 U.S.C. § 2252A(a)(5)(B). Defendant was arraigned by videoconference on October 2, 2020. The court held a final status conference on August 11, 2021 in Worcester, which counsel attended by videoconference. I report as follows:

**Local Rule 116.5(c)(2)**

The parties move for a pretrial conference before the district judge in order to resolve a pretrial motion to suppress evidence and to schedule a trial date. Accordingly, the file is ordered transferred to Judge Hillman.

- a. All discovery, other than discovery which is the subject of a pending discovery motion has been produced other than so-called 21-day materials.

- b. There is pending a discovery motion. It has been briefed. The United States is seeking authorization to move to seal the courtroom to protect sensitive information.
- c. Defendant intends to move to suppress evidence seized pursuant to a warrant and statements Defendant made during execution of the warrant. I have set September 15 as the deadline for such motions. This date may have to be adjusted if the hearing on the discovery motion is not promptly held and resolved.
- d. The Court has excluded the period from October 2, 2020 (the date of Defendant's arraignment), through August 11, 2021 (the date of the Final Status Conference). The parties further agree that the period from August 11 through the Pretrial Conference should be excluded under the interest of justice provision of the Speedy Trial Act, 18 U.S.C. § 3161(h)(7)(A). I will allow that request and enter a separate written order. It appears that zero days are chargeable against the statutory speedy trial clock. See Order of Excludable Delay entered on this date.
- e. Trial would require one week.

**Local Rule 116.5(c)(3)**

Defendant is released on conditions.

The discovery motion is ready for a hearing before the undersigned. At the hearing date, the parties moved to close the courtroom. I continued the matter to consider the merits of a motion to close the courtroom.

The motion to suppress evidence is very likely to determine whether or not trial is necessary. Trial will involve the publication to the Court and jury of alleged child pornography.

I have adopted the parties' proposal that the Government's expert disclosures, if any, be due forty-five (45) days before trial, and that Defendant's expert disclosures, if any, be due twenty-one (21) days before trial.

Defendant does not intend to raise defenses of insanity, public authority, or alibi.

/ s / David H. Hennessy  
David H. Hennessy  
United States Magistrate Judge